

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
DENISE BARNETT,

Movant,

v.

UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
OFFICE OF INSPECTOR GENERAL,Respondent.
-----X**ORDER**

12 MISC 365 (VB)

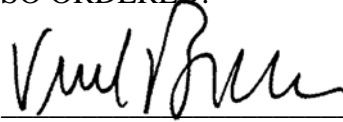
Denise Barnett moves this Court for an order preventing the United States Department of Housing and Urban Development Office of Inspector General (“HUD IG”) from obtaining access to her financial records held at HSBC USA, pursuant to 12 U.S.C. § 3410. Barnett states she is a customer of HSBC USA and the customer whose records the government seeks. Barnett also states she believes the records are not relevant to the legitimate law enforcement inquiry stated in the notice she received because “there is no basis to suspect that [she is] involved in possible embezzlement of government funds.”

Barnett appears to have initially satisfied the requirements of 12 U.S.C. § 3410(a).¹ As a result, by December 6, 2012, HUD IG is ordered to “file a sworn response, which may be filed in camera if [HUD IG] includes in its response the reasons which make in camera review appropriate.” 12 U.S.C. § 3410(b). Barnett shall file a reply, if any, by December 10, 2012. Pursuant to 12 U.S.C. § 3410(b), all parties are directed to appear for oral argument on the motion on December 13, 2012, at 12:30 p.m. in Courtroom 620, at the Hon. Charles L. Briant Courthouse, 300 Quarropas St., White Plains, New York 10601.

¹ Although Barnett neither provides a copy of the request for her records nor states the date of the request, the Court presumes for purposes of this Order that Barnett’s motion is timely filed.

Dated: November 16, 2012
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge